

TODD M. MALYNN (SBN 181595)
tmalynn@polsinelli.com
POLSINELLI LLP
2049 Century Park East, Suite 2900
Los Angeles, CA 90067
Telephone: 310.556.1801
Facsimile: 310.556.1802

Attorneys for Defendant
PENGUIN MAGIC, INC.

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

YIGAL MESIKA, an individual,

Plaintiff,

vs.

PENGUIN MAGIC, INC., a Nevada
corporation, DOES 1-10, inclusive,

Defendant.

Case No. 2:15-cv-09314-RGK-DTB

**DEFENDANT PENGUIN MAGIC,
INC.'S NOTICE OF
WITHDRAWAL OF ITS MOTION
FOR SUMMARY JUDGMENT**

Judge: Hon. R. Gary Klausner

Date: October 31, 2016

Time: 9:00 a.m.

Place: Courtroom 850
255 E. Temple St.
Los Angeles, CA 90012

TO THE COURT, PLAINTIFF AND HIS ATTORNEY OF RECORD:

PLEASE TAKE NOTICE that pursuant to L.R. 7-16, and the parties
settlement at mediation, Defendant Penguin Magic, Inc. ("Penguin") hereby
withdraws its Motion for Summary Judgment [Dkt. 35], together with its Statement
of Uncontroverted Facts and Conclusions of Law [Dkt. 37], filed on September 28,
2016.

1
2
3 October 24, 2016

POLSINELLI LLP

/s/TODD MALYNN

By: Todd M. Malynn, Esq.

2049 Century Park East, Suite 2900
Los Angeles, CA 90067

Telephone: (310) 556-1801

Facsimile: (310) 556-1802

tmalynn@polsinelli.com

Attorneys for Defendant
PENGUIN MAGIC, INC.,

CERTIFICATE OF SERVICE

The undersigned certifies that on October 24, 2016, the foregoing document was electronically filed with the Clerk of the Court for the United States District Court, Central District of California, using the Court's Electronic Case Filing (ECF) system. The ECF system routinely sends a "Notice of Electronic Filing" to all attorneys of record who have consented to accept this notice of this document by electronic means.

Dated: October 24, 2016

POLSINELLI, PC

By: /s/AJ Cruickshank
AJ Cruickshank

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28